

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1351 be amended to read as follows:

- 1 Delete the title and insert the following:
- 2 A BILL FOR AN ACT to amend the Indiana Code concerning state
- 3 and local administration and to make an appropriation.
- 4 Page 7, between lines 22 and 23, begin a new paragraph and insert:
- 5 "SECTION 6. IC 14-8-2-107, AS AMENDED BY P.L.1-2006,
- 6 SECTION 208, IS AMENDED TO READ AS FOLLOWS
- 7 [EFFECTIVE JULY 1, 2007]: Sec. 107. "Fund" has the following
- 8 meaning:
- 9 (1) For purposes of IC 14-9-5, the meaning set forth in
- 10 IC 14-9-5-1.
- 11 (2) For purposes of IC 14-9-8-21, the meaning set forth in
- 12 IC 14-9-8-21.
- 13 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
- 14 IC 14-9-8-21.5.
- 15 (4) For purposes of IC 14-9-9, the meaning set forth in
- 16 IC 14-9-9-3.
- 17 **(5) For purposes of IC 14-10-4, the meaning set forth in**
- 18 **IC 14-10-4-1.**
- 19 ~~(5)~~ (6) For purposes of IC 14-12-1, the meaning set forth in
- 20 IC 14-12-1-1.
- 21 ~~(6)~~ (7) For purposes of IC 14-12-2, the meaning set forth in
- 22 IC 14-12-2-2.
- 23 ~~(7)~~ (8) For purposes of IC 14-12-3, the meaning set forth in
- 24 IC 14-12-3-2.

- 1 ~~(8)~~ **(9)** For purposes of IC 14-13-1, the meaning set forth in
- 2 IC 14-13-1-2.
- 3 ~~(9)~~ **(10)** For purposes of IC 14-13-2, the meaning set forth in
- 4 IC 14-13-2-3.
- 5 ~~(10)~~ **(11)** For purposes of IC 14-16-1, the meaning set forth in
- 6 IC 14-16-1-30.
- 7 ~~(11)~~ **(12)** For purposes of IC 14-19-8, the meaning set forth in
- 8 IC 14-19-8-1.
- 9 ~~(12)~~ **(13)** For purposes of IC 14-20-1, the meaning set forth in
- 10 IC 14-20-1-3.
- 11 ~~(13)~~ **(14)** For purposes of IC 14-20-11, the meaning set forth in
- 12 IC 14-20-11-2.
- 13 ~~(14)~~ **(15)** For purposes of IC 14-22-3, the meaning set forth in
- 14 IC 14-22-3-1.
- 15 ~~(15)~~ **(16)** For purposes of IC 14-22-4, the meaning set forth in
- 16 IC 14-22-4-1.
- 17 ~~(16)~~ **(17)** For purposes of IC 14-22-5, the meaning set forth in
- 18 IC 14-22-5-1.
- 19 ~~(17)~~ **(18)** For purposes of IC 14-22-8, the meaning set forth in
- 20 IC 14-22-8-1.
- 21 ~~(18)~~ **(19)** For purposes of IC 14-22-34, the meaning set forth in
- 22 IC 14-22-34-2.
- 23 ~~(19)~~ **(20)** For purposes of IC 14-23-3, the meaning set forth in
- 24 IC 14-23-3-1.
- 25 ~~(20)~~ **(21)** For purposes of IC 14-24-4.5, the meaning set forth in
- 26 IC 14-24-4.5-2(5).
- 27 ~~(21)~~ **(22)** For purposes of IC 14-25-2-4, the meaning set forth in
- 28 IC 14-25-2-4.
- 29 ~~(22)~~ **(23)** For purposes of IC 14-25-10, the meaning set forth in
- 30 IC 14-25-10-1.
- 31 ~~(23)~~ **(24)** For purposes of IC 14-25-11-19, the meaning set forth
- 32 in IC 14-25-11-19.
- 33 ~~(24)~~ **(25)** For purposes of IC 14-25.5, the meaning set forth in
- 34 IC 14-25.5-1-3.
- 35 ~~(25)~~ **(26)** For purposes of IC 14-28-5, the meaning set forth in
- 36 IC 14-28-5-2.
- 37 ~~(26)~~ **(27)** For purposes of IC 14-31-2, the meaning set forth in
- 38 IC 14-31-2-5.
- 39 ~~(27)~~ **(28)** For purposes of IC 14-25-12, the meaning set forth in
- 40 IC 14-25-12-1.
- 41 ~~(28)~~ **(29)** For purposes of IC 14-32-8, the meaning set forth in
- 42 IC 14-32-8-1.
- 43 ~~(29)~~ **(30)** For purposes of IC 14-33-14, the meaning set forth in
- 44 IC 14-33-14-3.
- 45 ~~(30)~~ **(31)** For purposes of IC 14-33-21, the meaning set forth in
- 46 IC 14-33-21-1.

~~(31)~~ **(32)** For purposes of IC 14-34-6-15, the meaning set forth in IC 14-34-6-15.

~~(32)~~ **(33)** For purposes of IC 14-34-14, the meaning set forth in IC 14-34-14-1.

~~(33)~~ **(34)** For purposes of IC 14-37-10, the meaning set forth in IC 14-37-10-1.

SECTION 7. IC 14-10-4 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2007]:

Chapter 4. Courthouse and Public Building Preservation and Maintenance Program

Sec. 1. As used in this chapter, "fund" refers to the courthouse and public building preservation and maintenance grant fund established by section 9 of this chapter.

Sec. 2. The courthouse and public building preservation and maintenance program is established to provide grants to counties for the renovation, maintenance, and preservation of courthouses and other county owned buildings.

Sec. 3. (a) The commission shall adopt rules under IC 4-22-2 to implement this chapter.

(b) The department shall administer the courthouse and public building preservation and maintenance program.

Sec. 4. (a) The commission shall establish criteria for awarding grants to counties under the courthouse and public building preservation and maintenance program.

(b) A grant awarded under the courthouse and public building preservation and maintenance program for a project may not exceed the greater of:

- (1)** six million dollars (\$6,000,000); or
- (2)** two percent (2%) of the amount appropriated for implementing the courthouse and public building preservation and maintenance program during the biennium.

Sec. 5. To be eligible for a grant under this chapter, a county must file an application with the department in the manner prescribed by the commission. The application must:

- (1)** state the location of the courthouse or the building;
- (2)** state whether the courthouse or building is or is likely to become a historic structure;
- (3)** state the amount of money or in-kind contributions that the county promises to contribute to the project;
- (4)** state the function of the building;
- (5)** if the application concerns a courthouse, state whether the courthouse is currently functioning as a courthouse or is used for another purpose;
- (6)** include the county's master preservation plan for the project; and
- (7)** include any other information required by the commission.

1 **Sec. 6. In considering whether to make a grant under this**
 2 **chapter, the department shall give preference to a project that**
 3 **meets the following conditions:**

4 (1) The building is or is likely to become a historic structure.

5 (2) The building is a courthouse that currently functions as a
 6 courthouse.

7 (3) The county will provide or has provided at least fifteen
 8 percent (15%) of the project's costs, including:

9 (A) in-kind contributions; and

10 (B) previous expenditures for master planning and
 11 renovations on the courthouse or building.

12 (4) Any other preferences determined by the commission.

13 **Sec. 7. In addition to the factors under section 6 of this chapter,**
 14 **in considering whether to make a grant under this chapter, the**
 15 **department shall also consider the following factors:**

16 (1) The amount of money available for a grant and the
 17 percentage of the costs that the county will pay.

18 (2) Whether the county will make any in-kind contributions
 19 such as labor and materials.

20 (3) The cost to preserve or restore the courthouse or building.

21 (4) The architectural significance of the courthouse or
 22 building.

23 (5) The historic significance of the courthouse or building.

24 (6) The county's master preservation plan.

25 (7) Any other factors determined by the commission.

26 **Sec. 8. The commission shall adopt rules regarding the manner**
 27 **in which the department will consider the following factors in**
 28 **analyzing a county's contribution to project costs under section**
 29 **6(3) of this chapter:**

30 (1) The period during which past expenditures can be
 31 considered.

32 (2) The amount of past expenditures that can be considered.

33 (3) The amount and type of in-kind contributions that can be
 34 considered.

35 **Sec. 9. (a) The courthouse and public building preservation and**
 36 **maintenance grant fund is established within the state treasury.**
 37 **Grants may be made from the fund to counties in accordance with**
 38 **this chapter and the policies and guidelines adopted under this**
 39 **chapter.**

40 (b) The department may receive and accept, for purposes of the
 41 fund, grants, gifts, and contributions from public and private
 42 sources, including, on behalf of the state, grants from agencies and
 43 instrumentalities of the United States.

44 (c) The fund consists of the following:

45 (1) Fee proceeds deposited in the fund under:

46 (A) IC 16-37-1-9(c);

47 (B) IC 33-32-5-1(a)(2);

1 (C) IC 33-37-5-30;

2 (D) IC 36-2-7-10(b)(7)(B); and

3 (E) IC 36-2-7-10(b)(11)(C).

4 (2) Money appropriated by the general assembly.

5 (3) Grants, gifts, contributions, and money received from any
6 other source.

7 (d) The department shall administer the fund. The following
8 may be paid from money in the fund:

9 (1) Expenses of administering the fund.

10 (2) Nonrecurring administrative expenses incurred to carry
11 out the purposes of this chapter.

12 (e) Money in the fund at the end of a state fiscal year does not
13 revert to the state general fund but remains in the fund.

14 (f) The treasurer of state shall invest the money in the fund not
15 currently needed to meet the obligations of the fund in the same
16 manner as other public funds may be invested. Interest that
17 accrues from these investments shall be deposited in the fund.

18 (g) There is annually appropriated to the department the entire
19 amount of money in the fund for the use of the department in
20 carrying out the purposes of this chapter.

21 Sec. 10. The department, subject to the approval of the governor
22 and budget director, may direct the auditor of state to make an
23 approved grant from the fund to a county under this chapter.

24 Sec. 11. Before incurring any expenses payable from money
25 received for a project from the fund under the courthouse and
26 public building preservation and maintenance program, a county
27 must have a master preservation plan for the project. The
28 commission shall prescribe by rule the minimum standard for a
29 master preservation plan.

30 Sec. 12. A county that receives money for a project under the
31 courthouse and public building preservation and maintenance
32 program must use recognized preservation standards for work on
33 the project. The commission shall establish standards regarding
34 the quality of the work performed on the project.

35 Sec. 13. A county that receives money for a project under the
36 courthouse and public building preservation and maintenance
37 program may use the money only for eligible preservation and
38 restoration expenses prescribed by the commission. Eligible
39 expenses may include costs for:

40 (1) structural, mechanical, electrical, and plumbing systems
41 and weather protection and emergency public safety issues
42 not covered by insurance;

43 (2) code and environmental compliance, including complying
44 with:

45 (A) the federal Americans with Disabilities Act (42 U.S.C.
46 12101 et seq.) and any amendments and regulations related
47 to the Act; and

- 1 **(B) other state laws relating to accessibility standards,**
- 2 **hazardous materials mitigation rules, and other similar**
- 3 **concerns;**
- 4 **(3) replication of a missing architectural feature;**
- 5 **(4) removal of an inappropriate addition or modification;**
- 6 **(5) restoration of a courtroom or other significant public**
- 7 **space in a functional and historically appropriate manner;**
- 8 **(6) architectural and engineering services associated with a**
- 9 **preservation or restoration project; and**
- 10 **(7) architectural services associated with producing a county's**
- 11 **preservation master plan.**

12 **Sec. 14. The commission shall provide procedures for oversight**
 13 **on a project for which a county receives money from the fund**
 14 **under this chapter. These procedures shall provide for reasonable**
 15 **inspection by the department and periodic reports by a county on**
 16 **a project's progress.**

17 SECTION 8. IC 16-37-1-9 IS AMENDED TO READ AS
 18 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 9. (a) A local health
 19 department may make a charge under IC 16-20-1-27 for each certificate
 20 of birth, death, or stillbirth registration.

21 (b) If the local department of health makes a charge for a certificate
 22 of death under subsection (a), a one dollar (\$1) coroners continuing
 23 education fee must be added to the rate established under
 24 IC 16-20-1-27. The local department of health shall deposit any
 25 coroners continuing education fees with the county auditor within thirty
 26 (30) days after collection. The county auditor shall transfer
 27 semiannually any coroners continuing education fees to the treasurer
 28 of state.

29 (c) If the local department of health makes a charge for a
 30 certificate of birth, death, or stillbirth under subsection (a), a one
 31 dollar (\$1) fee must be added to the amount of the charge
 32 established under IC 16-20-1-27. The local department of health
 33 shall deposit any proceeds of the fee with the county auditor within
 34 thirty (30) days after collection. The county auditor shall transfer
 35 semiannually any proceeds of the fee to the treasurer of state. The
 36 treasurer of state shall deposit the proceeds of the fee in the
 37 courthouse and public building preservation and maintenance
 38 grant fund established by IC 14-10-4-9.

39 ~~(c)~~ (d) Notwithstanding IC 16-20-1-27, a charge may not be made
 40 for furnishing a certificate of birth, death, or stillbirth registration to a
 41 person or to a member of the family of a person who needs the
 42 certificate for one (1) of the following purposes:

- 43 (1) To establish the person's age or the dependency of a member
- 44 of the person's family in connection with:
- 45 (A) the person's service in the armed forces of the United
- 46 States; or
- 47 (B) a death pension or disability pension of a person who is

1 serving or has served in the armed forces of the United States.
 2 (2) To establish or to verify the age of a child in school who
 3 desires to secure a work permit.

4 SECTION 9. IC 20-33-3-11, AS ADDED BY P.L.1-2005,
 5 SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 6 JULY 1, 2007]: Sec. 11. (a) As proof of age, the issuing officer shall
 7 require one (1) of the following documents:

8 (1) A birth certificate or duly attested transcript of a birth
 9 certificate issued by the registrar of vital statistics or any other
 10 officer charged with the duty of recording births. The registrar
 11 may not charge a fee for a certificate or transcript as provided by
 12 ~~IC 16-37-1-9(c)(2)~~. **IC 16-37-1-9(d)(2)**. School records of age
 13 that have been verified by a birth certificate may be substituted by
 14 the issuing officer for a birth certificate.

15 (2) A baptismal certificate or a certified transcript of the record of
 16 baptism showing the child's date of birth and place of baptism.

17 (3) Other documentation, including:

18 (A) a bona fide contemporary record of the child's birth,
 19 comprising a part of the family record of births in the Bible;

20 (B) other documentary evidence satisfactory to the department
 21 of labor, including a certificate of arrival in the United States
 22 issued by United States immigration officers and showing the
 23 child's age; or

24 (C) a life insurance policy.

25 Documentary evidence under this subdivision must have been in
 26 existence for at least one (1) year.

27 (4) A sworn statement by a public health physician, a public
 28 school physician, or the superintendent stating, in the opinion of
 29 the signatory, the child's physical age. This statement shall show
 30 the child's height and weight and other facts upon which the
 31 signatory's opinion is based. The physician's or superintendent's
 32 statement shall be accompanied by a statement of the child's age
 33 signed by the child's parent and by available school records.

34 (b) The documents that may constitute proof of age under this
 35 section are listed in preferential order. The issuing officer shall require
 36 the document of age under subsection (a)(1) in preference to a
 37 document under subsection (a)(2), (a)(3), or (a)(4). To avoid delay, the
 38 documents under subsection (a)(2), (a)(3), or (a)(4) may be accepted
 39 if the issuing officer files a written statement that verification of date
 40 of birth has been requested from the appropriate governmental agency
 41 but has not been received.

42 SECTION 10. IC 33-32-5-1 IS AMENDED TO READ AS
 43 FOLLOWS [EFFECTIVE JULY 1, 2007]: Sec. 1. (a) For issuing a
 44 marriage license under IC 31-11-4, the clerk shall collect a fee of ~~ten~~
 45 ~~dollars (\$10)~~; **eleven dollars (\$11)**. The clerk shall pay ~~these fees the~~
 46 **proceeds of the fee** to the treasurer of state, who shall deposit: ~~the~~

1 money

2 (1) ten dollars (\$10) of each fee collected in the state user fee
3 fund established by IC 33-37-9-2; and

4 (2) one dollar (\$1) of each fee collected in the courthouse and
5 public building preservation and maintenance grant fund
6 established by IC 14-10-4-9.

7 (b) For issuing a marriage certificate under IC 31-11-4, the clerk
8 shall collect the following fee:

9 (1) Eight dollars (\$8), if at least one (1) of the individuals is a
10 resident of Indiana.

11 (2) Fifty dollars (\$50), if neither of the individuals is a resident of
12 Indiana.

13 When collected, these fees shall be deposited in the general fund of the
14 county.

15 SECTION 11. IC 33-37-5-30 IS ADDED TO THE INDIANA
16 CODE AS A NEW SECTION TO READ AS FOLLOWS
17 [EFFECTIVE JULY 1, 2007]: **Sec. 30. In addition to the fees**
18 **required under IC 33-37-4-4, the clerk of the court shall collect**
19 **from a party filing a petition for legal separation, paternity, or**
20 **dissolution of marriage under IC 31 a fee of one dollar (\$1). The**
21 **clerk shall transfer the proceeds of the fee to the treasurer of state**
22 **for deposit in the courthouse and public building preservation and**
23 **maintenance grant fund established by IC 14-10-4-9."**

24 Page 9, delete lines 19 through 22 and insert:

25 "(7) ~~Five dollars (\$5)~~ **Six dollars (\$6)** for each deed the recorder
26 records, in addition to other fees for deeds, ~~for to be distributed~~
27 **as follows:**

28 (A) **Five dollars (\$5) shall be deposited in the county**
29 **surveyor's corner perpetuation fund for use as provided in**
30 **IC 32-19-4-3 or IC 36-2-12-11(e).**

31 (B) **One dollar (\$1) shall be deposited with the county**
32 **auditor to be transferred semiannually to the treasurer of**
33 **state for deposit in the courthouse and public building**
34 **preservation and maintenance grant fund established by**
35 **IC 14-10-4-9."**

36 Page 9, delete lines 34 through 41, and insert:

37 "(11) ~~Three Four dollars (\$3)~~ **(\$4)** for each mortgage on real
38 estate recorded, in addition to other fees required by this section,
39 distributed as follows:

40 (A) Fifty cents (\$0.50) is to be deposited in the recorder's
41 record perpetuation fund.

42 (B) Two dollars and fifty cents (\$2.50) is to be distributed to
43 the auditor of state on or before June 20 and December 20 of
44 each year as provided in IC 24-9-9-3.

45 (C) **One dollar (\$1) is to be deposited with the county**
46 **auditor to be transferred semiannually to the treasurer of**

1 **state for deposit in the courthouse and public building**
2 **preservation and maintenance grant fund established by**
3 **IC 14-10-4-9."**

4 Page 10, between lines 17 and 18, begin a new line double block
5 indented and insert:

6 **"(14) A fee of:**
7 **(A) ten dollars (\$10) for the first page; and**
8 **(B) two dollars (\$2) for each additional page;**
9 **of each document the recorder records, for deposit in the**
10 **affordable housing and community development fund under**
11 **IC 5-20-4-17."**

12 Renumber all SECTIONS consecutively.
 (Reference is to HB 1351 as printed February 20, 2007.)

Representative Saunders